

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

TREMONT REALTY CAPITAL, INC., a
Massachusetts Corporation,
Plaintiff,

v.

PINNACLE GROUP, LLC, an Arizona limited
liability company; ADAMS CANYON RANCH,
LLC, an Arizona limited liability company,
JOHN LANG, an individual; and MICHAEL
GRADY, an individual,
Defendants

and

PINNACLE GROUP, LLC, an Arizona limited
liability company; ADAMS CANYON RANCH,
LLC, an Arizona limited liability company,
JOHN LANG, an individual; and MICHAEL
GRADY, an individual,
Counterclaimants,

v.

TREMONT REALTY CAPITAL, INC., a
Massachusetts Corporation,
Counter-Defendant,
and

PINNACLE GROUP, LLC, an Arizona limited
liability company; ADAMS CANYON RANCH,
LLC, an Arizona limited liability company,
JOHN LANG, an individual; and MICHAEL
GRADY, an individual,
Third-Party Plaintiffs,

v.

FORTIS ADVISORS, LLC, an Arizona
limited liability company; TREMONT-FORTIS
REALTY CAPITAL, LLC, an unknown entity;
RUSSELL POSORSKE, an individual;
RICHARD C. GALLITTO, an individual;
DANIEL O. MEE, an individual,
Third-Party Defendants.

Case No. 04-11853-RGS

**SECOND STIPULATION FOR
EXTENSION OF TIME TO RESPOND
TO TREMONT REALTY CAPITAL,
INC.'S MOTION TO DISMISS
COUNTS I, II, III AND VI OF THE
FIRST AMENDED COUNTERCLAIM**

The defendants /counterclaim plaintiffs, Pinnacle Group, LLC, Adams Canyon
Ranch, LLC, John Lang, and Michael Grady (hereinafter collectively referred to as the

"Pinnacle Parties"), and the plaintiff/counterclaim defendant, Tremont Realty Capital, Inc. (hereinafter "Tremont"), hereby stipulate and agree that the Pinnacle Parties shall have an extension of time, up to and including June 24, 2005, within which to respond to Tremont's Motion to Dismiss Counts I, II, III and VI of the First Amended Counterclaim.

Respectfully Submitted,

PINNACLE GROUP, LLC,
ADAMS CANYON RANCH, LLC,
JOHN LANG, and MICHAEL GRADY,

TREMONT REALTY CAPITAL, INC.,

/s/ Armando J. Acosta

/s/ Michael S. Day

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Michael S. Day (BBO #656247)
**Mintz, Levin, Cohn, Ferris,
Glovsky & Popeo, P.C.**
One Financial Center
Boston, MA 02111
(617) 542-6000

Dated: June 10, 2005

CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of June, 2005, a courtesy copy of the above document was served, by first class mail, upon plaintiff's attorneys, James M. Wodarski, Esq., and Michael S. Day, Esq., Mintz, Levin, Cohn, Ferris, Glovsky & Popeo, P.C., 1 Financial Center, Boston, MA 02111:

/s/ Armando J. Acosta
